

**Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
915 Emmet Street  
August 23, 1998  
9:00 a.m.**

**Closed Session:** Two closed sessions were conducted.

**Called To Order:** Meeting was called to order at 9:55 a.m.

**Opening Ceremony:** Opening ceremony was conducted by Frank Ettawageshik

**Council Present:** Shirley Oldman, George Anthony, Frank Ettawageshik, Barry Laughlin

**Council Absent:** Rita Shananaquet, Alice Yellowbank, excused.

**Staff Present:** Susan Keller

**Guests Present:** See attached list.

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**Motion** made by **George Anthony** and **Supported** by **Barry Laughlin** to go into closed session at 10:03 a.m. for legal issues.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Open Session:** Open session resumed at 11:39 a.m.

**Recess:** A two minute recess was called at 11:39. Meeting was called back to order at 11:46 a.m.

**Motion** made by **Barry Laughlin** and **Supported** by **George Anthony** to approve the agenda as presented and amended.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **Barry Laughlin** and **Supported** by **Shirley Oldman** to approve the bills to be paid as submitted on 8-23-98, (see attached).

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **Barry Laughlin** and **Supported** by **George Anthony** to approve the August 2, 1998 meeting minutes as presented and corrected..

**Vote:** 3 Yes                      0 NO                      1 (Shirley Oldman) ABSTAINED                      **Motion Carried**

**Public Comment:** Public comment opened and closed at 12:45. There was no comment issued from the public.

**Motion** made by **Barry Laughlin** and **Supported** by **George Anthony** to approve the Natural Resources Commissions Budget Modification #02 for FY98.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Recess:** Recess was called at 1:17 for lunch. Meeting was called back to order at 1:56 p.m.

**Motion** made by **Barry Laughlin** and **Supported** by **Shirley Oldman** to approve the Little Traverse Bay Band Travel Policy with changes submitted this date.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **Barry Laughlin** and **Supported** by **Shirley Oldman** to approve \$1200.00 from the Development Account for the Little Traverse Bay Bands traditional Pow Wow to be conducted on the Osborne Road property September 26, 1998.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **Shirley Oldman** and **Supported** by **George Anthony** to approve the Election Board's budget modification #01 for FY98.

**Vote:** 3 Yes                      1 (Barry Laughlin) NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **Barry Laughlin** and **Supported** by **George Anthony** to accept the Tribal Administrator's verbal and written report.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **Barry Laughlin** and **Supported** by **George Anthony** to adopt **Resolution #08239801** in support of the National Congress of American Indians delegate Frank Ettawageshik, with alternate delegates being Rita Shananaquet and Alice Yellowbank.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **George Anthony** and **Supported** by **Barry Laughlin** to adopt **Resolution #08239802** in support of individuals authorized to draw down Office of Native American Programs (ONAP) funds from Housing and Urban Development (HUD).

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **George Anthony** and **Supported** by **Barry Laughlin** to approve travel, per diem, and travel stipend for Shirley Oldman, George Anthony, Alice Yellowbank and Barry Laughlin to attend the Grand Opening, MAST Meetings, meeting w/Congressman Kildee, other Tribal Councils, and other legislators at the Soaring Eagle Hotel August 27<sup>th</sup> and 28<sup>th</sup>, as being hosted by the Saginaw/Chippewa Tribe with funds to come from Development Account.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **George Anthony** and **Supported** by **Barry Laughlin** to accept the Tribal Chairman's verbal report.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **Barry Laughlin** and **Supported** by **George Anthony** to approve List C of Enrollment Relinquishment dated 7-27-98.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **George Anthony** and **Supported** by **Barry Laughlin** to postpone the Commissions, Boards, and Committees Statute to the September 27, 1998 legislative meeting.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** made by **George Anthony** and **Supported** by **Shirley Oldman** to postpone the Trust Board Statute until the Tribal Council meeting on September 13, 1998.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Public Comment:** Public comment opened and closed at 5:21 p.m. There was no comment issued from the public.

**Motion** made by **George Anthony** and **Supported** by **Barry Laughlin** to go into closed session for legal purposes.

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Open Session:** Open session resumed at 5:49 p.m.

**Motion** made by **Barry Laughlin** and **Supported** by **George Anthony** to adjourn the tribal council meeting at 5:49 p.m..

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**These minutes have been read & approved as written:**

\_\_\_\_\_  
**Barry Laughlin, Tribal Council Secretary**

\_\_\_\_\_  
**Date**

**Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
915 Administrative Building  
August 23, 1998  
9:00 a.m.**

**Closed Session: Yes**

**Called To Order:** Meeting was called to order at 9:55 a.m.

**Opening Ceremony:** Opening ceremony was conducted by Shirley Oldman

**Council Present:** Shirley Oldman, George Anthony, Frank Ettawageshik, Barry Laughlin

**Council Absent:** Rita Shananaquet, Alice Yellowbank

**Staff Present:** Susan Keller

**Guests Present:** See attached list.

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Gagliardi introduced bill and in closing of bill, was not even brought out of committee. Former federal assistant prosecutor (Calvacca) reviewed and legislature showed no intention of doing the right thing. Mr. Hume is on permanent disability was working with Calvacca. Has prosecuted a few high profile cases. His specialty is corruption. "Deck action" (declaratory) can be used. Action that has been drafted suing the speaker of the house personally, public officials normally have an umbrella that precludes them from being sued if they are doing legislative process. Believe there are very strong actions that are administrative not legislative. All legislators had to do was legislate it after governor signed it. Steve Calvacca is a real bulldog. The people who have reviewed the draft complaint and the law behind feel that we have a pretty good case. Apply some real strong pressure to make something happen out of the legislature or the governor's office.

Michael Dettmer, Steve, and Mike Surook scheduled to meet Dettmer was continuing to go forward and that he was preparing his own action, stated if you guys bring the action I'll be glad for it. Will share it with McManus key legislators, the governor's office the day before filing. Hope to have it filed before Wednesday or Thursday this week. 30% chance federal judge will sign action with Dettmer's backing, 50% chance the governor will sign a new compact without legislator approval. 10% legislature will do the right thing.

Barry Laughlin is looking for a way for Council to be informed on daily events.

Surook can send out an E-Mail every couple of days to update council. There will be a tremendous amount of flurry. Every day for the first week. When legislators first convene there will be an additional flurry.

Have not told any one of the other two tribes of this lawsuit. 30 minutes after this lawsuit is filed one or the other will want to come in on this lawsuit. Should be stated that if you want to join us here is the program. Chairman Ettawageshik stated that this should be planned well ahead. 400,000.00 to 500,000.00 lawsuit. 50/50 split between LTBB and Pokagons. If the others want to come in they need to pick up 1/3, 1/3, 1/3 with the caveat that they will not have full voting authority. If both want to join should be 25, 25, 25, 25. The initial action does not get us any money, gets us open. There will be another action damages. Intend to file a damage claim which will include a Ted Getzeros, Sault Tribe... Could cost a million bucks to sue fully.

Chairman Ettawageshik stated that it is asking for damages and the other item asking for legal remedies.

NORAM position is asking the governor to settle this issue. Two separate issues damages and 60 – 90 day rule. Schnook wants a compact. Suing Hertel does not get a compact, suing the governor does not get LTBB a compact.

**Personal Issue**

A personnel issue was discussed regarding previous receptionist lawsuit in tribal court.

**Motion** made by **George Anthony** and **Supported** by **Shirley Oldman** to go out of closed session at 11:38 a.m..

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Closed Session #2:**

United States vs. Michigan. Natural Resource Commission met and took advice from attorney. Follow up session came up with a plan that was sent on to the other plans with notation that it was approved by NRC and Tribal Council. Kind of a stimulus to the other tribes.

Randy has been doing really well in his position. Other biologists are starting to look to him for answers. He has helped our commission out tremendously.

**Motion** made by **Barry Laughlin** and **Supported** by **Shirley Oldman** to go out of closed session at 5:49 p.m..

**Vote:** 4 Yes                      0 NO                      0 ABSTAINED                      **Motion Carried**